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Attorneys for Respondent

9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 **TERRELL CROSS,**

14 Petitioner,

15 v.

16 **D.K. SISTO,** Warden

17 Respondent.

C 07-3941 WHA

**RESPONDENT'S APPLICATION  
FOR FIRST ENLARGEMENT OF  
TIME TO FILE RESPONSE**

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19 Pursuant to Civil L.R. 6-3 and Habeas L.R. 2254-6, respondent respectfully requests that  
20 this Court grant a first enlargement of time, to and including December 28, 2007, to file an answer  
21 or other response in this case.

22 The reasons for this request are set forth in the accompanying Declaration of Counsel.  
23 Wherefore, respondent respectfully requests that this Court grant this application for an enlargement  
24 of time to prepare and file the answer.  
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1 Dated: October 30, 2007

2 Respectfully submitted,

3 EDMUND G. BROWN JR.  
4 Attorney General of the State of California

5 DANE R. GILLETTE  
6 Chief Assistant Attorney General

7 GERALD A. ENGLER  
8 Senior Assistant Attorney General

9 PEGGY S. RUFFRA  
10 Supervising Deputy Attorney General

11 /s/ Dorian Jung  
12 DORIAN JUNG  
13 Deputy Attorney General  
14 Attorneys for Respondent  
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**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: **CROSS v. SISTO, Warden**

No.: **C 07-3941 WHA**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On October 30, 2007, I served the attached

RESPONDENT'S APPLICATION FOR FIRST ENLARGEMENT OF TIME TO FILE  
RESPONSE

DECLARATION OF COUNSEL IN SUPPORT OF APPLICATION FOR FIRST  
ENLARGEMENT OF TIME TO FILE RESPONSE

ORDER

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, California 94102-7004, addressed as follows:

Terrell Cross  
T-88155/3-230L  
Solano State Prison  
P.O. Box 4000  
Vacaville, CA 95696

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on October 30, 2007, at San Francisco, California.

D. Desuyo

/s/ D. Desuyo

Declarant

Signature